

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

1			
2			
3			
4			
5	JAMES ALLEN BROWN,)	
6)	No. CV-12-128-CI
7	Plaintiff,)	
8)	
9	v.)	ORDER GRANTING STIPULATED
10)	MOTION TO REMAND PURSUANT
11	MICHAEL J. ASTRUE,)	TO SENTENCE FOUR OF 42
12	Commissioner of Social)	U.S.C. § 405(g)
13	Security,)	
14)	
15	Defendant.)	

BEFORE THE COURT is the parties' stipulated Motion to Remand the above-captioned matter to the Commissioner for additional administrative proceedings. (ECF No. 20.) Attorney Randy J. Fair represents Plaintiff James Allen Brown; Special Assistant United States Attorney Nancy Mishalanie represents Defendant. The parties have consented to proceed before a magistrate judge. (ECF No. 6.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' stipulated Motion to Remand (**ECF No. 20**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall: 1) update the record and receive any additional evidence Plaintiff wishes to submit; 2) give further consideration to the medical source opinion evidence; 3) if necessary, obtain medical expert testimony to assist in determining the severity of Plaintiff's mental impairments; 4)

1 re-determine Plaintiff's residual functional capacity; and 5)
2 continue with the remaining steps of the sequential evaluation,
3 taking into consideration Plaintiff's ability to perform his past
4 work at step four and obtaining supplemental vocational expert
5 evidence regarding the erosion of the occupational base caused by
6 Plaintiff's assessed limitations, if necessary.

7 2. Judgment shall be entered for the **PLAINTIFF**.

8 3. Plaintiff's Motion for Summary Judgment (**ECF No. 14**) is
9 stricken as moot.

10 4. An application for attorney fees may be filed by separate
11 motion.

12 The District Court Executive is directed to enter this Order,
13 forward copies to counsel, and thereafter shall close this file.

14 DATED October 16, 2012.

15
16 S/ CYNTHIA IMBROGNO
17 UNITED STATES MAGISTRATE JUDGE
18
19
20
21
22
23
24
25
26
27
28